മിസ്റ്റർ കെ. ഐ. വേലായുധൻ: സർ, ഈ ഉപക്ഷേപത്തിന്ന വിഷയമായ അധികാരം ഹൈക്കോട്ടിന്ന വിധേയമായതുകൊണ്ടും നമ്മുടെ ഗവണ്മെണ്ട ഇതിനെസംബന്ധിച്ച അവഗാഢപൂവ്വം ആലോചിക്കാമെന്ന പറഞ്ഞതുകൊണ്ടും ഈ സഭയുടെ അനുമതിയോട കൂടി ഞാൻ ഈ ഉപക്ഷേപത്തെ പിൻവലിച്ചുകൊള്ളുന്നു.

Motion, by leave, withdrawn.

Demand, put and carried.

IV. 12—Law and Justice (Cranganur)

Mr. P. Govinda Menon *(Minister for Finance and Law):* Sir, I move that an amount of Rs. 21,690 be granted to Government under 12, Law and Justice, Cranganur.

Mr. E. Ikkanda Warriar *(Prime Minister):* I second it.

Demand, put and carried.

V. 19—Accounts and Audit

Mr. P. Govinda Menon *(Minister for Finance and Law):* I move that an amount of Rs. 1,26,120 be granted to Government under 19, Accounts and Audit.

Mr. E. Ikkanda Warrier *(Prime Minister):* I second it.

Demand, put and carried.

VI. 21—Jail

Mr. E. Ikkanda Warriar *(Prime Minister):* Sir, I move for an amount of Rs. 1,09,083 under 21, Jail.

Mr. P. Govinda Menon *(Minister for Finance and Law):* I second it.

CUT MOTION

Mr. A. K. George *(Kattur):* I want to move the cut motion standing in my name under Jails. To reduce the allotment of Rs. 1,09,083, for Jails in Demand No. 21 by Re. 1. The indispensable necessity of opening Borstal Institutions in the State for the training and improvement of the Juvenile Offenders.

I have very great pleasure to move the only cut motion on the Department of Jails with the feeling that excepting this lack of reformatory schools for juvenile offenders in the State that our jails are working quite nicely. Sir, at the very outset I may be permitted to pay a very warm tribute to the old lady member of our House Dr. (Mrs.) Francis for having tabled a cut motion in the last Assembly. But unfortunately the Government has not implemented her cut demand. Sir, I am moving this cut motion in the light of the provisions which are already there in the Children's Act which has taken a place in the Statute Book of Cochin. This problem of juvenile offenders is quite different from the problem of ordinary offenders. I want to draw the attention of the House to the difficulties of not having a reformatory school for giving out a certain amount of a healthy atmosphere in which our juvenile offenders must be allowed to grow up to train themselves as citizens of whom this State can be proud. In this connection I am afraid to quote from scriptures or books before the Hon'ble Member for Finance because I feel, he has not much regard for reading of text-books but still I want to draw the attention of the House to the famous book on juvenile offenders by Justice Lindsay. I think there are instances shown by Justice Lindsay an eminent American who is supposed to be an authority on juvenile delinquency. He says that there are instances where ordinary juvenile offenders once punished and taken to reformatory schools in America have occupied very high positions. He gives an instance of an ordinary juvenile delinquent who was punished and taken to such a school in Philadelphia grew up to such a highly exhalted position as to occupy the Governorship of that State.

.....Well, Sir, if steps are taken in this direction by our Government, I have no doubt that in no distant future some lucky brilliant juvenile offenders will be occupying the Treasury Bench as one of the Prime Ministers of the State in the future generation.

Mr. C. V. Iyyu *(Kunnamkulam):* One of the 5 Ministers.

Mr. A. K. George *(Kattur):* No. Even as the Prime Minister.

Sir, two difficulties that can be raised by the Government may be these; that there is lack of finance to open a Borstal school but this can be easily tided over by sending juveniles to the schools at Madras. If sufficient accommodation for juvenile offenders of Madras could not be got why not the Government give proper aid to orphanages and Ashrams which if proper

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. A. K. George]

directions are given will be a reformatory school. Sir, in moving this cut motion I feel that this cut motion will not be opposed even by my Hon'ble friend Mr. Iyyu.

Mr. C. V. Iyyu *(Kunnamkulam):* Why should you think that I will oppose it.

Dr. C. L. Joseph *(Irinjalakkuda):* Just a word. It is a pitiable sight to see infantile offenders—children of 8, 9 and 10—standing in a row very near those criminals that you find in the Central Jail. Their offence is just carrying a bottle of toddy to a neighbour, just taking a few bananas from a tree. They are juveniles of ten or twelve right in the General Central Jail and evoking the pity of the people who are going to vist the jail. I had the misfortune to see, when I had occasion to visit the Jail, in front of me these juveniles and when asked about their offence it was stated they were just seen carrying a bottle of toddy to a neighbour or caught with some bananas which they took from a garden. These are the offences for which they are sent to the a Central Jail, and their neighbours and friends are people who have committed greatest crimes, amongst whom they are indiscriminately put. Of course there is the seggregation but in actual practice it does not work, and they are always meeting people who are talking about criminal things. If we have not funds at least fund should be found for this purpose. It is only increasing criminality; we are only making them criminals by sending these young, people to the jail. Society requires that such things should be set right. It cannot be tolerated that these two sets of people, one most by innocent and the other the highest criminals, are allowed to live together and mix together and then learn from one another.

Mr. C. V. Iyyu *(Kunnamkulam):* I also welcome the suggestion, Sir. But probably there may not be sufficient number of juveniles in our small State, because of the size of the State to run a Borstal school. As far as my knowledge goes there are Borstal schools in Travancore and one or two in the Madras Province.

Mr. A. K. George *(Kattur):* Two.

Mr. C. V. Iyyu *(Kunnamkulam):* It will be better to send these children to Travancore because there they may teach them Malayalam and it is a neighbouring sister State with whom we may have to be more friendly. It is certain that it should not be delayed especially when the peoples' Government is in power when we are trying to root out a great social evil. So under the circumstances I strongly support the motion, And as suggested by the Hon'ble Member for Irinjalakkuda. any retrenchment anywhere will be welcome to have such an institution or sending some of these boys at Government expense to such schools. These juvenile offenders should not be sent to orphanages or poor houses; in that I don't agree. They must be brought up in such a way as other juvenile offenders are being brought up.

Dr. (Mrs.) T. Francis *(Ernakulam-Women):* I have great pleasure to support this cut motion. In the last Legislative Assembly—it was not through a cut motion—but through a resolution during the Legislative Meeting Second Session 1121. The juvenile offenders in advanced countries are dealt with in a different way. It is far different from what we do now here. They will not have to associate with adult offenders. They are kept in a different place. They are sent to schools or they are entrusted to some society or other and they are always guarded well, and they are given Educational training by responsible people, people who really takes pain over them. In our place as the Hon'ble Member for Irinjalakkuda has well said they are simply left to the mercy of others. They are dealt with very hardly and they learn from their adult friends all sorts of crimes. In America they have got a special court where the young, juveniles, are examined, the public are excluded from that, the public cannot go there and if they are given sentences they are sent or entrusted to relatives, a society or a reformatory school or something like that. I mean juveniles of ages 16 to 21 are dealt with very fairly. Those under 14 are entrusted to friends and if they repeat the offence like taking a little article they are given some advice or something like that. If they fail to pay the cost of anything they are not sent to jails but to some schools where they are well managed. Of course we are wanting such sort of institutions. Now I got some information. There is a borstal school in Travancore and two other places in the Madras Province. I do not know exactly whether there are any other institutions elsewhere in India. Whatever it is that is no reason why we should not start one. Take all the pains and find out the money wherefrom money can be got or reduce it from some other elaborate department in which department the amount allotted may be also elaborate. The Borstal system was first introduced in 1092 in wing of the convict prison in Borstal near Chatham and from the general prison juveniles were separated, into that separate wing and these were not allowed to associate with adult convicts. It was started like that in 1902. Then

LIBRARY ARCHIVES Kerala Legislative Assembly

in 1931 the Borstal system was improved and that is the system that is prevailing in other parts of the world. In 1928 girls were separated and they were given in charge of a society in Allesbury. That is also in England. Much improvement has come from that date to this date. So it is high time that we also take pains and start one school at least, however small the number of juveniles may be in our State even for one number; is a valuable person. I do not think that there is any necessity for us to send our people to Travancore or elsewhere. Here we have got places to have Borstal schools. We have only to convert them into proper ones, and try to protect our children in our own soil. Morally they must be educated well and people should come forward for this service. With these few words I support this motion.

മിസ്റ്റർ സെബാസ്റ്റ്യൻ തോപ്പിൽ: സർ, ഞാൻ ഈ ഖണ്ഡനോപക്ഷേപത്തെ അനുകൂലിക്കുന്നു. പ്രായപൂർത്തി വരാത്ത കുട്ടികൾ ചെയ്യുന്ന കുറ്റത്തിന്നു് ഒരു പരിഹാരം ആയിട്ടെന്നോണം ആണു് ന.മ്മുടെ സ്റ്റേറ്റിൽ ഇപ്പോൾ ഇങ്ങിനെയുള്ള കുട്ടികൾക്കു് ഒരു പരിഹാരപാഠശാല കൊണ്ടുവരണം എന്നു ദ്ദേശിക്കപ്പെട്ടതു്. നമ്മുടെ ഇന്നത്തെ കൊച്ചിയുടെ സാമ്പത്തികനില വെച്ചു നോക്കുമ്പോൾ എത്രയോ ആയിരം കണക്കിനുള്ള കുട്ടികൾ, ഭയങ്കരങ്ങളായിട്ടുള്ള കുറ്റങ്ങൾക്കു് വശംവദരാകാതിരുന്നതിൽ ആണു് ഞാൻ അത്ഭുതപ്പെടുന്നതു്. ഓരോ പരിസരങ്ങളിലും ദരിദ്രരായ കുടുംബക്കാരുടെ അടുത്തു് പണക്കാരുടെ കുടുംബങ്ങളും കണ്ടുവരുന്നുണ്ടു്. ഈ നില വെച്ചു നോക്കുമ്പോൾ ദരിദ്രരായ കുടുംബങ്ങളിലെ കുട്ടികൾ അടുത്ത പണക്കാരുടെ വീടുകളിൽ നിന്നു് ഭയങ്കരങ്ങളായ കളവുകൾ ചെയ്തു് കുറ്റക്കാരായിത്തീരുന്നതിന്നു് പ്രേരിതരാകുവാൻ ഇടയുണ്ടു്. എന്നാൽ അപ്രകാരമുള്ള കുറ്റങ്ങൾ ചെയ്യുന്നതിലുള്ള വൈഷമ്യങ്ങൾ മനസ്സിലാക്കാതെ, പ്രവൃത്തിക്കുന്ന കുട്ടികൾ കുറ്റക്കാരായി കണക്കാക്കപ്പെടാവുന്നതല്ല. അങ്ങിനെ കുറ്റം ചെയ്യുവാൻ പ്രേരിപ്പിക്കപ്പെടുന്നവർക്കു് ഇരുമ്പഴിക്കുള്ളിൽ സ്ഥലം കൊടുക്കുന്നതായാൽ അതു് അവരുടെ വളർച്ചക്കു് വിഘാതമായിട്ടു തീരുന്നതാണു്. കുട്ടികൾ ശാരീരികമായും മാനസികമായും വളരേണ്ടവരാണു്. അതിന്റെ അഭാവം കൊണ്ടാണു് ചിലരിൽ ചൈതന്യക്കുറവു് കാണുന്നതു്. ചൈതന്യവും ഓജസ്സും ഉള്ള പൌരന്മാർ നമ്മുടെ നാട്ടിൽ ഉണ്ടാകണമെങ്കിൽ അവരുടെ മാനസികവും കായികവുമായ വളർച്ചക്കുള്ള പരിതഃസ്ഥിതികൾ ഉണ്ടാക്കി കൊടുക്കണം. അതിന്റെ വശങ്ങളെപ്പറ്റി ഈ ഉപക്ഷേപത്തെ അനുകൂലിച്ചുവർ ഇവിടെ പ്രസംഗിച്ചുകഴിഞ്ഞിട്ടുണ്ടു്. എന്റെ അഭിപ്രായത്തിൽ കൊച്ചിയുടെ സ്ഥിതിക്കു് അനുവധി ദുർഗ്ഗുണപരിഹാരപാഠശാലകൾ ഉണ്ടാകേണ്ടതുണ്ടു്. ഈ കാര്യത്തിനു് തൽക്കാലം പണം ഇല്ലെന്നുള്ള തടസ്സം പറയാതെ കഴിയുന്നതും വേഗത്തിൽ ഇതു് നടപ്പിലാക്കണമെന്നുള്ള ചുരുങ്ങിയ അഭിപ്രായത്തോടുകൂടി ഞാൻ ഈ ഉപക്ഷേപത്തെ ഹാർദ്ദമായി പിൻതാങ്ങിക്കൊള്ളുന്നു.

* **Mr. E. Ikkanda Warriar** *(Prime Minister)*: Sir, the Government is quite alive to this problem and the Government accept this cut motion. As I go through the files, I find that this question has been engaging the attention of the Government and this has been under the active consideration of the Government, so to say, for the last three or four years. I see the Hon'ble Member for Aranattukara laughing; he feels the justification for the cause he advocated yesterday, that this file system should be ended once for all. I am afraid this will be one of those cases. At the time when this enquiry was started there were a large number of prisoners in the jail, as the Hon'ble Member for Irinjalakkuda said from his own experience. There were times when there were as many as 50 to 60 juvenile offenders at a time in the Central Jail. Fortunately for us, the number has dwindled and today there are only four. The average for this year, for 1124, is only six, and the average for the last year is only five.

Mr. M. Bhaskara Menon *(Ernakulam)*: In the Central Jail.

Mr. E. Ikkanda Warriar *(Prime Minister)*: Yes.

Mr. M. Bhaskara Menon *(Ernakulam)*: It may be noted that only in the cases where the sentence exceeds one month they are sent to the Central Jail. In other cases, such as whipping etc., they won't go to the Central Jail.

Mr. E. Ikkanda Warriar *(Prime Minister)*: It is on account of these things that this was delayed. Anyway, it is proposed to have a Reformatory School immediately and the Inspector-General of Prisons has been asked to submit proposals. He wanted the permission of the Government to send an officer to visit one of the Borstal Schools and send up proposals. There is already some quarters vacant outside the Central Jail, and that place, it is thought for the time being, can be used for the purpose of starting the Reformatory School.

* Speech not corrected by the Hon'ble Minister.

LIBRARY ARCHIVES Kerala Legislative Assembly

Dr. (Mrs.) T. Francis *(Ernakulam-Women):* Will it not be separate?

Mr. E. Ikkanda Warriar *(Prime Minister):* It is outside the main walls of the Central Jail. Anyway, the Government is awaiting the report of the Inspector-General of Prisons to pass final orders on this matter and I may assure the House that as soon as those proposals come, and within a reasonably short time, the Government will either start the School or if admission can be obtained for them, since there are only three or four now, in the sister State, either one of these will be immediately done. The Government in any case will not allow this question to lie over for any further time. I think that with this assurance, the House will be satisfied and the Hon'ble Member may not think it worth while to press this motion.

Mr. A. K. George *(Kattur):* Mr. President, Sir, unlike the usual reply from the Government side, I am very much pleased, as pleased as the House is, to find that the Government has taken a definite decision as to the starting of a Borstal Institute in the State. Sir, by the way, I am obliged for the qualified support of Mr. Iyyu. In the light of the assurance of the bold decision the Government has already taken, I do not wish to press this cut motion.

Motion by leave, withdrawn.

Demand put and carried.

VII. 13—Jails (Cranganur)

Mr. E. Ikkanda Warriar *(Prime Minister):* I move for an allotment of Rs. 720 under 13-Jails Cranganur.

Mr. P. Govinda Menon *(Finance and Law):* I second the motion.

Demand put and carried.

VIII. 22—Police

Mr. E. Ikkanda Warriar *(Prime Minister):* I move for an allotment of Rs. 13,27,339 under 22-Police.

Mr. P. Govinda Menon *(Minister for Finance and Law):* I second the motion.

Mr. C. V. Iyyu *(Kunnamkulam):* Cut motions numbers 1 and 2 may be taken up together.

Mr. Joseph Mundasserri *(Trichur-North):* I have no objection.

Mr. President. Yes.

CUT MOTION No. 1

To reduce the allotment of Rs. 3,99,701 for Police (Establishment) in Demand No. 22 by Re. 1.

(To point out the necessity to reduce the number of Deputy Commissioners, Assissant Commissioners and Division Insprctors to the minimum possible without affecting the efficiency of service—(Mr. P.K. Krishnankutty Menon)

CUT MOTION No. 2

To reduce the allotment of Rs. 3,99,701 for Police—Proper Establishment in Demand No. 22 by Re. 1.

(To discuss the impropriety of keeping the top-heavy administration (Mr. Joseph Mundasseri)

മിസ്റ്റർ പി. കെ. കൃഷ്ണൻകുട്ടിമേനോൻ: എന്റെ ഉപക്ഷേപത്തിൽ ഞാൻ ആവശ്യപ്പെട്ട സംഗതിയെ സംബന്ധിച്ച് കഴിഞ്ഞ രണ്ടുമൂന്നു ദിവസങ്ങളായിട്ട് ഈ സഭയുടെ അഭിപ്രായം പ്രകടമാക്കീട്ടുള്ളതാണ്. എങ്കിലും ഗവൺമെണ്ടിന്റെ ശ്രദ്ധ വേഗത്തിൽ തന്നെ പതിഞ്ഞു കാണുന്നതിനുവേണ്ടിയാണ് ഞാൻ ഈ ഉപക്ഷേപം അവതരിപ്പിക്കുന്നത്. കഴിഞ്ഞ നാലുകൊല്ലങ്ങളിലെ ബഡ്ജറ്റ് നോക്കുന്നതായാൽ ഇത്തവണത്തെ പൊല്ലീസ്സ് ബഡ്ജറ്റിൽ വളരെ അധികം സംഖ്യ ചിലവുണ്ടെന്നു കാണാവുന്നതാണ്. ബഡ്ജറ്റ് പരിശോധിച്ചതിൽ ൧൯൫൦-ൽ ൩.൪ ലക്ഷം ഉറുപ്പികയെ ചിലവായി കാണുന്നുള്ളൂ. എന്നാൽ ൧൯൫൧ സമാനത്തു് ൧൯൫൨-ൽ ൧൪.൫ ലക്ഷം ഉറുപ്പിക ചിലവായി കാണുന്നുണ്ട്. ൧൯൫൦-മാണ്ടു് യുദ്ധകാലപരിതഃസ്ഥിതികളെ തരണം ചെയ്യേണ്ട ഒരു കാലമായിരുന്നു. എന്നാൽ അങ്ങിനെയുള്ള യുദ്ധപരിതഃസ്ഥിതികൾ ഒന്നും ഇല്ലാത്ത ഈ കാലത്തു് ഇത്ര വമ്പിച്ച ഒരു തുക പൊല്ലീസ്സ് ബഡ്ജറ്റിൽ കൊള്ളിച്ചുകാണുന്നതു് ചില തസ്തികകൾ ഉയർത്തുന്നതിനുവേണ്ടി മാത്രം ചിലവാക്കീട്ടുള്ളതാണെന്നുള്ള കാര്യത്തിൽ മാത്രമെ എനിക്കു് ആക്ഷേപം ഉള്ളൂ. പോല്ലീസ്സുകാരുടെ ശമ്പളപരിഷ്കരണകാര്യത്തിൽ കൂടുതൽ സംഖ്യ ചിലവാക്കേണ്ടിവന്നിട്ടുള്ളതിൽ എനിക്കു് ആക്ഷേപമില്ല. എന്നാൽ ഈ തസ്തികകൾ ഉയർത്തിയതുമൂലം ൧൰ൽ ചിലപ്പോൾ ലക്ഷം ഉറുപ്പികയാണ് കൂടുതൽ ചിലവു വരുന്നതു്. വലിയ ഉദ്യോഗസ്ഥന്മാരുടെ ശമ്പളത്തിനും പുറമെ അവർക്കു് തടിച്ചു ബത്തയും അഡീഷ്ണൽ

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